

UNITED STATES OF AMERICA



FOUNDED 1836

WASHINGTON, D.C.

TO THE
HONBLE. THE SENATE
AND
HOUSE OF REPRESENTATIVES
OF THE
UNITED STATES,
THE
MEMORIAL OF JAMES SMITH,
AGENT OF VACCINATION.

GEORGETOWN, CA.
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1816.

TO THE
HON. THE SENATE AND HOUSE OF REPRESENTA-
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THE
MEMORIAL OF JAMES SMITH.

HAVING been appointed by the President of the United States, in pursuance of the Act of Congress, entitled "An Act to encourage Vaccination," I would be guilty of an act of injustice to my own feelings, as well as chargeable with a most serious neglect of duty to the public, were I to suffer the present opportunity to address you on the subject of my official duties to pass by unimproved or unnoticed. I must therefore, beg your indulgence, while I call back your attention to the original grounds on which the Act of Congress just mentioned was founded; and I hope you will excuse my subjoining a short detail of some facts connected with the subject, together with the outlines of a more perfect plan, derived from later experience; all tending to illustrate the just views which induced Congress to pass the Act in question; and which it is confidently expected will yet lead them to give that further and more ample encouragement to Vaccination, which the welfare and happiness of our country so imperiously demand at this moment.

The grounds, indeed, upon which the Act to encourage Vaccination was originally founded, cannot perhaps be more concisely submitted to your consideration than by a re-perusal of the Memorial itself, which was signed by many of the most respectable Citizens of the United States, and presented at their request. A copy of this Memorial (A) is therefore subjoined to this address; as is also, a copy of my Letter (B) to the Chairman of the Committee to whom the same was referred. From these documents you will perceive that one of the chief objects petitioned for, viz: the distribution of genuine Vaccine Matter, *free of expense*, to any Citizen of the United States who wished to use it, was unavoidably postponed, until some more propitious season would invite Congress to take the subject again under their consideration. The works of charity and benevolence therefore, which had been then conceived, not for the benefit of a few, but for the good of the whole community, were obliged to yield to the severe pressure of the times; and the Act of Congress to encourage Vaccination was passed, without making any provision whatever for the *free distribution* of this invaluable gift to mankind. Being sensible, however, of the many important advantages which our country would derive from using this remedy, particularly during the continuance of the war, I increased my own exertions, and gave every facility in my power, to extend its circulation in every direction. Among other attempts of a like kind, I gave a general invitation, through the medium of the public prints, to all Surgeons, and others employed in the public service, to apply to me for it whenever they had occasion to use it; and it was always forwarded to them, free of any charge, whenever required for the public service. The Act to encourage Vaccination, therefore, limited and inadequate as are its provisions, may be, nevertheless, shewn to have been of very essential service to the public; and I rejoice to be the agent in whose hands this remedy has been preserved, and from whom it has been directly introduced into almost every part of the United States; and I may add, not unfrequently in such good

season, as to check the progress of the Small Pox in places, where otherwise it would soon have become a severe scourge to the people.

Since peace, however, now again smiles on our happy Country, and we can justly boast of "our flourishing condition," may we not hope that some further and more effectual encouragement will be given to Vaccination; whereby our Country may be entirely delivered from a monster which has so often desolated her fairest plains, and bereaved the most tender parents of every prospect which was dear to their hearts?—The subject of Vaccination has repeatedly, and with great propriety, occupied the attention of the British Parliament. It has likewise been freely patronised by the greatest Potentates of Europe, and by every wise government throughout the whole civilized world. Shall we then, be found the only nation, who can composedly witness the immolation of her Citizens, or the profuse waste of her native population by a contagious poison, *a natural enemy*, which it is completely in our power to extirpate and destroy? That Vaccination is *a certain preventive* of the Small Pox is not, at this day, denied by any one, shewing reasonable proof to justify their unbelief. The humane and benevolent, are every where endeavouring to give the utmost facility to its use. It is never attended with any danger; and but seldom gives even the least inconvenience to the individual who submits to it. We have it then in our power, one and all of us, to secure ourselves from the Small Pox. If we but only use the means of which we are possessed, we may render the poisonous effluvia of this disease as perfectly harmless as the morning dew; and we may cause its direful effects to cease from among our people. Why then, shall we not do this? why hesitate one moment to deliberate, when the case admits of no doubt? Why neglect even the first opportunity to encourage, to the utmost extent, the use of a remedy, so easy and so safe, against a disease so difficult and so dangerous?

But this subject may with propriety be examined in another and a moral point of view; and we may enquire, whether every

Citizen, whose life is now taken by the Small Pox, may not justly be considered as a sacrifice to the most gross stupidity and ignorance ; or, otherwise, to our inexcusable neglect of the only proper or natural means, given by an all-wise Providence, to rescue mankind from it ? The casualty or death by Small Pox of this or that individual, however valuable he might be to his Country or dear to his friends, would not be a matter of itself, so seriously to be complained off. But this disease is well known to be of the most contagious character ; and has ever been distinguished as the most destructive *plague* afflicting the human race. On this account, above all others, we should encourage by every means in our power, the general use of the Kine Pock, which is *the only possible safeguard* to be set up against the propagation and spreading of the Small Pox, among us or any other People.

In some parts of the United States the old practice of inoculation for Small Pox is still continued as a lucrative branch of business, by its ignorant or cruel promoters ; and in other places the natural Small Pox is suffered to be carelessly harboured, and propagated from one subject to another, to the great danger and annoyance of those who would now much rather avoid any exposure to it whatever. Are not these serious grievances, of which any People might justly complain ? But let us enquire whether these very grievances do not, *even at this time*, exist to such an unbounded extent among ourselves, as to require our immediate and most active exertions to remedy them ? Let the case be fairly stated, as the example now occurs in one of the most populous and flourishing Cities our Country can boast of—a City, which (being the centre as it were of our Commerce, and serving as the proud mart which connects us with every other commercial City in the World,) is daily interchanging her Merchandize with one and all, at home and abroad. I allude to the City of New York—where it is a well known fact, that for months past the natural Small Pox has been harboured, and propagated to an extent, now become truly alarming to herself. Far be it from me to

insinuate, in the most remote degree, that the inhabitants of this City have approved of the propagation of Small Pox within her limits; but surely it must be confessed that they have been too neglectful of the proper means, which might long since have purified her atmosphere, and blotted out this distemper from among her People. From New York the Small Pox has lately spread far and wide throughout our Land; and we have every reason to believe that it has been, and still is daily exported from thence, not only to our own Cities, but also to many unsuspecting foreign ports, which while they hail our Commerce with joy, meet it only perhaps to embrace their fate, with all the horrors which this plague can inflict upon them. Now, is this conduct justifiable in any individual, or in any people, (however well it may yet accord with our Laws and municipal regulations,) on any moral or christian principle whatever? It certainly cannot be. Does not the cruelty then of such conduct in our own country, and in our own immediate view, very loudly demand the interference of Government to prevent it?

The general neglect of the use of the Kine Pock, has been repeatedly complained of by the friends of this discovery; but there is one circumstance, or rather effect of this neglect, which appears to deserve our particular notice in this place, and that is this: The great mass of the people are ever so much under the influence of immediate expedients, that they are, naturally as it were, led to put off Vaccination until the danger of escaping from the Small Pox appears to them to be otherwise inevitable; they then all seek after this remedy, with an avidity equal to their former neglect. By this mode of proceeding however, the number of persons liable to take the Small Pox at once, in any populous place, becomes so great, that its contagion (seizing as it were the immense quantity of fuel prepared for it,) spreads abroad with a proportionate rapidity, so as then to render it almost impossible, in large Cities, to offer the relief of Vaccination in time to arrest its progress, before it has spread terror and desolation far and wide. In this case the poor and their helpless children, unavoidably

become the greatest sufferers ; and they in their turn help to spread the evil still further and further ; while in the general calamity much imparable injury is done to the whole community. These are serious injuries ; and for which a wise and prudent Government only can afford relief. Most happily, it is in our power to accomplish this desirable object with certainty, and with very little trouble or expense.

The causes which operate, to any very considerable extent, against the use of the Kine Pock ; or which may be considered as worthy of the attention or interference of the Government at this time, are now indeed but very few in number. The first and most dangerous of these causes is the use of spurious instead of genuine Vaccine Matter. This has been the source of many lamentable mistakes ; and has often caused many serious prejudices against Vaccination. This impediment however, has been in a great degree already removed, by the late Act of Congress ; which has provided for the preservation and distribution of the genuine Matter, for the use of the Citizens of the United States. But another cause, which operates to a very considerable extent against the successful practice of Vaccination, is the extreme and unwarrantable carelessness of those who conduct it. The operation appears to be so simple that many practitioners perform it without paying any further regard to it whatever. But it is well known that there are various accidents to which this operation, or the Vaccine vesicle itself is liable, during its progress, which, (however properly the operation may have been performed,) will nevertheless afterwards render it perfectly useless. Now, when these accidents pass over unnoticed, the subjects of them frequently become liable to much greater danger than they were exposed to before they attempted to take the Kine Pock. In this way, many of our Fellow Citizens have suffered severely by taking the Small Pox, when they considered themselves as perfectly secure from it by Vaccination ; and thus also, have many unfounded prejudices risen up against it. A third cause or obvious impediment to Vaccination is, as has been already stated,

the very general neglect of the use of this remedy in every place, as soon as the immediate danger of Small Pox appears to be removed therefrom.

The plan I would now humbly beg leave to suggest for your consideration, as most likely to remove all these impediments, would be the following; and I am induced to believe that it would extirpate the Small Pox from among us, in the shortest space of time, and with less inconvenience to the community at large, than any other which has been yet proposed. This plan, it will be perceived, while it enforces a necessary degree of formality in the operation, contemplates extending the practice of Vaccination more systematically, as well as more universally, than has been yet undertaken in the United States. As an effect likewise of the plan itself, the most satisfactory information of its results may always be gained by the community; and it may be carried into complete operation without any pecuniary aid whatever from the Government. Should this plan, however, be deemed inexpedient or unadvisable, a confident hope will still be entertained that you will not suffer the subject of this memorial to pass by unregarded, at a time when the natural Small Pox appears to have just commenced a destructive range through our Country. Some adequate provision it is prayed, will at least be made to enable the Agent of Vaccination to furnish the genuine Matter *free of any fee or charges* to all who may apply to him for it.



OUTLINES OF A PLAN,

*Proposed for the more effectual encouragement of Vaccination
in the United States.*

1. LET an Act of Congress be passed, designating the duties to be performed in the execution of this Plan by the Agent who may be appointed under the late Act, entitled "An Act " to encourage Vaccination:" And let him be compelled to

furnish the genuine Vaccine Matter,* and to give instructions how to use it if required, free of any expense, to any Citizen of the United States who may make a written application to him for it through the medium of any Post Office.

2. Let every person who attempts to practice Vaccination in the United States be compelled to keep a register or diary, in which he shall enter in writing † the name, age and place of residence of every person Vaccinated by him. Let him also write down in his diary any such remarks or history of the operation, as will more certainly enable him to form a correct opinion of its failure or success.

3. Let every Practitioner of Vaccination be further compelled to furnish annually a faithful copy or transcript from his

* No difficulty whatever, further than the confinement of a constant and uninterrupted attention to it, has been hitherto experienced by the Agent of Vaccination, in preserving the genuine Vaccine Matter; and he has always been able to furnish effective Matter to the most distant parts of the United States with as little trouble as he could supply those Practitioners who reside nearest to him. The number of Practitioners whom any one Agent of Vaccination could supply with genuine Matter might be increased to any extent imaginable, without occasioning any great addition to the difficulties he would have to encounter to preserve and furnish it to a few individuals.

† There are many persons who now practice Vaccination without any competent knowledge to distinguish the genuine Kine Pock from the many spurious affections which have been so often mistaken for it. Those ignorant Practitioners, generally speaking, attempt to perform this operation solely for the sake of the small sums of money which they receive for it from the most illiterate and indigent classes of people; and they often leave them under a fallacious impression of being secured against the Small Pox, when in fact, they are still as liable as ever to take this dreadful disease. These unworthy Practitioners are seldom found capable of writing, or keeping any register or diary to guide their dangerous proceedings;—should they therefore from any inability to comply with the regulations here proposed, be excluded entirely from pursuing this business, the interests of humanity would thereby be greatly promoted; and other Practitioners, more competent and more worthy of encouragement, would undertake and conduct it correctly.

diary, stating the date of any operation, and the name, age and place of residence of every person Vaccinated by him with success.* Let said annual copies or transcripts from the Practitioner's diary be always made up to the 30th September in every year, and forwarded within sixty days thereafter to the Agent of Vaccination, through the medium of the nearest or most convenient Post-Office. To insure the execution of this Plan let Practitioners of Vaccination be subject to a fine in every case where they neglect or refuse to comply with the duties required of them.

3. At the time of making every annual return or transcript from his diary, let every Practitioner be compelled to remit therewith to the Agent of Vaccination a small fee † sufficient, to enable him to file and record the same, and to do and perform every other duty required of him in his Office.

5. Let no record fee, payable to the Agent of Vaccination exceed cents‡ for each person returned to him as having been Vaccinated effectually. But let all returns for

* The system here proposed, while it adds but little to the trouble of the Practitioners, will give the requisite degree of method and formality which has been so much wanted in the business of Vaccination. And if it should make the Practitioner more responsible for the ultimate consequences of his practice, he will no doubt find a proportionate recompense in the willingness of the people to pay for the additional security which they will thus obtain against a most loathsome and dangerous disease.

† It would seem more just and proper that the persons Vaccinated should themselves pay the fee for furnishing the genuine Matter for their use, as well as for recording so interesting an evidence of their personal safety. But the fee required is so small that it is not expected any practitioner would refuse to pay it, particularly when his own pecuniary interests will ultimately be benefited thereby.

‡ A silver coin of the smallest denomination (say 6 1-4 cents for each person Vaccinated) would seem to be, on many accounts, the most proper fee to be required. A smaller fee would be sufficient if Vaccination became as universally practised as it ought to be; but if it should become less practised in any year, the Agent's fee, to defray every expense of his Office, will not be too great.

indigent persons who may have been Vaccinated gratis by any Practitioner, and for all persons enlisted in the service of the United States, whether in the Navy or Army, be entitled to be recorded free of any fees whatever.

6. Let the Agent of Vaccination be compelled to file and record in his Office all returns, made as directed, by any Practitioner, arranging them so as to shew the number of persons Vaccinated annually in each of the several states, and their respective counties, and let the Records* of his Office be liable to the inspection and examination of any Citizen of the United States who might wish to ascertain whether any individual had obtained security from the Small Pox or not; or if obtained, that it might be known when, where, and by whom such security was given.

7. Let the Agent of Vaccination make an annual report to the Speaker of the House of Representatives and President of the Senate, stating the number of persons returned to him as Vaccinated every year in each of the several states;—which said report, if deemed expedient by them, shall be communicated to the respective branches of the Government over which they preside.

8. Let the Act authorising the execution of this Plan be continued in force for _____ years, to be then renewed or amended as may appear most advantageous to the Public good. The above is with diffidence,

But respectfully submitted, by

JAMES SMITH.

Baltimore, 15th January, 1816.

* Children (who should always be Vaccinated at the most early period of life, convenient to have it done) are often suddenly deprived of their parents or friends, and no living testimony can afterwards be found to satisfy their fears, or to inform them whether the operation has been performed for them or not. A regular record should always, therefore, be kept of every operation of Vaccination, were it for no other purpose than to inform them of their safety or liability to take so dangerous a disease as the Small Pox. But this Record, if regularly and permanently kept,

APPENDIX.

(A.)

*To the Honorable the Senate and House of Representatives
of the United States.*

THE Memorial of the undersigned Citizens of the United States humbly represents, That your Memorialists highly approve of the use of the Kine Pock, and are fully convinced that it is a certain preventive of the Small Pox. But it is with deep regret they have heard that, in some places, so little confidence is placed in this benign remedy, that many persons are yet to be found who still prefer the old inoculation for the Small Pox; and who, by continuing this practice, propagate its contagion annually, and spread it abroad, occasioning thereby the loss of many valuable lives.

To check or cure so great an evil is a task, which your Memorialists would presume to be eminently worthy the attention of the Representatives of a great and rising nation.

The practice of Vaccination is now understood to be so extremely simple and easy, that every intelligent Citizen is adequate to conduct it with the most perfect safety. To be provided with genuine matter has been the only serious difficulty to contend with. To keep it active and fit for use has at all times required so much care and attention, that but few persons have been able to preserve it without frequent and long interruptions; so that when this infection has been most urgently demanded, it has been oftentimes searched for in vain; or if procured, it has been obtained from a great distance, and at the extreme hazard of its being spurious or useless. By

would have many other salutary effects; and among others it would have this good effect, that by comparing the Record at any time with the natural increase of the population of any place we could always know what particular districts of our Country would be most liable to suffer from the Small Pox, and to what extent it might be injurious to them. To inform any such district of their danger would, in most instances, lead them directly to the removal of it; and thus perhaps, might thousands of our fellow creatures be preserved from this disease.

difficulties of this kind, the Small Pox has spread over whole districts of country, occasioning great distress and mortality.

Your Memorialists are assured that the Vaccine Virus can be easily preserved, and kept fit for use, by renewing it at short intervals from a regular succession of healthy subjects: and that the time and attention of one individual would be adequate, if properly directed, to supply the whole United States with active Matter at any time it might be wanted. A Citizen of Maryland indeed, Dr. James Smith, who has been long and successfully engaged in preserving and distributing this inestimable Matter, has proffered his services, and will give competent security, that if encouraged in so laudable an undertaking, he will fully accomplish the object of our wishes.

Your Memorialists are therefore of opinion, that a suitable provision, by the national legislature, for the preservation and distribution of the Vaccine Virus, free of any expense to Citizens of the United States, would be found to be, not only of the greatest convenience to practitioners of medicine generally, but it would induce many to use it who have yet no confidence in its efficacy. Indeed there are many reasons to believe that the Small Pox may, by the plan proposed, be entirely eradicated; many persons, at least, would be thereby secured from it who must otherwise be left exposed, or who may perhaps fall victims to this pestilence from a want of the only remedy which can possibly prevent it.

December 1st, 1812.

(B.)

WASHINGTON, 15th January, 1813.

SIR,

HAVING proffered my services to preserve the genuine Vaccine Matter. and to furnish it to the Citizens of the United States generally, and being on that account alluded to in the memorials which have been presented to Congress from certain Citizens of Virginia and Pennsylvania, and which have been referred to the honourable committee, of which you are Chairman; I deem it proper to give you this assurance, that if employed, I have no doubt of being able to accomplish this object, and will give security if required, competent to that effect.

The plan proposed for the distribution of this Matter, it will be seen, necessarily contemplates the aid and encouragement of the Post-Office establishment, so that all applications for Vaccine Matter, or letters containing a supply of it for the use of any Citizen of the United States, shall be carried free of any

postage. These letters, it may be here remarked, would not add any perceptible weight to the mail, nor give any trouble worthy of notice to this useful establishment.

As to the actual expense which would be proper or necessary to be incurred to secure to every Citizen the privilege of obtaining Vaccine Matter at any time it might be wanted free of any expense, the most reasonable idea may be best formed from the consideration that the whole time and services of one individual competent to the task would be required, and that a small annual expense would be required for stationary, printing, and other incidental expenses.

Having proffered my services however in this undertaking, and being desirous that every Citizen should have the right secured to him of a free access to a remedy which is essentially necessary to individual as well as to the public safety; the expense to the United States shall not be considered as any obstacle in the way of its accomplishment, should the object itself meet with your approbation. Indeed, should it be deemed inexpedient to incur any expense on this account while the war in which we are now engaged demands all the resources of the country, I will nevertheless obligate myself to preserve the Vaccine Matter and to supply it to the Citizens of the United States without any compensation whatever from the national Government, and shall depend solely for the means necessary to enable me to prosecute this undertaking upon such remuneration as may be received from the particular individuals who would be benefitted by the establishment.

I have the honor to be, with great respect,
Your most obedient and humble servant,

JAMES SMITH.

*To the Honorable Mr. RHEA, Chairman
of the Committee on the Post Office
and Post Roads.*

(C.)

AN ACT,

TO ENCOURAGE VACCINATION.

SECT. 1. BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States of America be and he is hereby authorised to appoint an agent to preserve the genuine Vaccine Matter, and to furnish the same to any Citizen of the United States, whenever it may be applied for,

through the medium of the Post-Office; and such agent shall, previous to his entering upon the execution of the duties assigned to him by this act, and before he shall be entitled to the privilege of franking any letter or package, as herein allowed, take and subscribe the following oath or affirmation, before some magistrate, and cause a certificate thereof to be filed in the general Post-Office: "I, A. B. do swear (or affirm, as the case may be) that I will faithfully use my best exertions to preserve the genuine Vaccine Matter, and to furnish the same to the Citizens of the United States; and also, that I will abstain from every thing prohibited in relation to the establishment of the Post Office of the United States." And it shall be the duty of the said agent to transmit to the several Post-Masters in the United States a copy of this act: And he shall also forward to them a public notice, directing how and where all applications shall be made to him for Vaccine Matter.

SECT. 2. *And be it further enacted*, That for all letters or packages not exceeding half an ounce in weight, containing Vaccine Matter, or relating to the subject of Vaccination, and that alone, shall be carried by the United States Mail free of any postage, either to or from the agent who may be appointed to carry the provisions of this act into effect: *Provided always*, That the said agent before he deliver any letters for transmission by the mail, shall in his own proper hand-writing, on the outside thereof, endorse the word "Vaccination," and thereto subscribe his name, and shall previously furnish the Post Master of the Office, where he shall deposit the same, with a specimen of his signature; and if said agent shall frank any letter or package, in which shall be contained any thing relative to any subject other than Vaccination, he shall on conviction of every such offence, forfeit and pay a fine of fifty dollars, to be recovered in the same manner as other fines for violations of law establishing the Post Office: *Provided also*, That the discharge of any agent, and the appointment of another in his stead be at the discretion of the President of the United States.

H. CLAY,

Speaker of the House of Representatives.

WM. H. CRAWFORD,

President of the Senate, pro. tem.

APPROVED—February 27th, 1813.

JAMES MADISON.

Med. Hist.

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